

# Montana State Legislature

## **Exhibit 7**

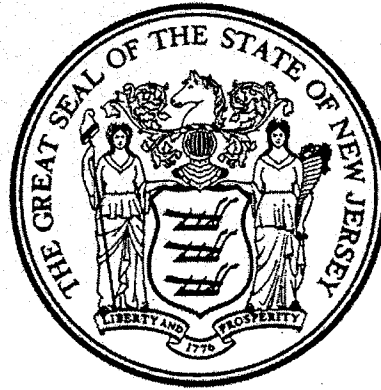
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EXHIBIT 7  
DATE 3-20-07  
HB 697



# NEW JERSEY DEATH PENALTY STUDY COMMISSION REPORT

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JANUARY 2007

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## EXECUTIVE SUMMARY

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The New Jersey Death Penalty Study Commission was created by P.L.2005, c.321. The enactment directed the Commission to study all aspects of the death penalty as currently administered in New Jersey and to report its findings and recommendations, including any recommended legislation, to the Legislature and the Governor. The enactment also directed the Commission to study seven specific Issues. The Commission's findings and recommendations are set out below.

### FINDINGS

- (1) There is no compelling evidence that the New Jersey death penalty rationally serves a legitimate penological intent.
- (2) The costs of the death penalty are greater than the costs of life in prison without parole, but it is not possible to measure these costs with any degree of precision.
- (3) There is increasing evidence that the death penalty is inconsistent with evolving standards of decency.
- (4) The available data do not support a finding of invidious racial bias in the application of the death penalty in New Jersey.
- (5) Abolition of the death penalty will eliminate the risk of disproportionality in capital sentencing.
- (6) The penological interest in executing a small number of persons guilty of murder is not sufficiently compelling to justify the risk of making an irreversible mistake.
- (7) The alternative of life imprisonment in a maximum security institution without the possibility of parole would sufficiently ensure public safety and address other legitimate social and penological interests, including the interests of the families of murder victims.
- (8) Sufficient funds should be dedicated to ensure adequate services and advocacy for the families of murder victims.